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United States Senate
SPECIAL COMMITTEE ON THE TERMINATION OF
THE NATIONAL EMERGENCY
(PURSUANT TO S. RES. 9, 93D CONGRESS)
WASHINGTON, D.C. 20510

September 14, 1973

Dear Mr. (Secretary/Chairman.....)

The Senate has established a Special Committee on the Termination of the National Emergency. Senate Resolution 9 of the Ninety-third Congress, adopted January 6, 1973, requires the Committee to consider the desirability and consequences of terminating special legislative powers that were conferred on the President and others as a result of the President's proclamation declaring a national emergency and to "consult with the President and his advisers."

The Special Committee is already working with the Standing Committees of the Congress and desires to work closely with the Executive Branch in a review of existing statutes pertaining to emergency powers and their implementation. We believe that both branches can benefit from a systematic study of the subject. We are, therefore, asking each Executive department, agency and some independent commissions, to review the emergency laws that fall within their jurisdiction and to consider their present utility.

One serious problem that we have encountered is that of compiling a list of all statutes which are triggered by declaration of a national emergency. In compiling our present list, we have relied on existing studies, such as that prepared by the Office of Emergency Planning in 1969. In addition, we have used computer data retrieval techniques. There may, however, be statutes which are not included in the enclosed compilation, but which fall within the scope of our study and are, in whole or in part, under the jurisdiction of your agency. These may include emergency laws that are still in force but do not appear in the United States Code. We ask that you bring any such laws to our attention.

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We would be most grateful if you would study the emergency statutes listed in the enclosed compilation, and any that you believe should appropriately be added and inform the Special Committee by October 15 as to whether

- (1) there are any statutes which can be repealed because they are obsolete;
- (2) there are any statutes which are essential to the regular functioning of the government and should therefore be recast as permanent legislation;
- (3) there are statutes which should be retained as emergency statutes but amended to meet present circumstances.

It is our intention to hold hearings in which Executive branch witnesses will be asked to testify in October of this year. If you wish to make any other comments or suggestions on this subject that are not covered by the specified questions contained in this letter, we would hope that you would do so.

Sincerely,

Frank Church

Charles McC. Mathias, Jr.